

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
Central Square Overlay District: Standards for Issuance of Special Permits (Section 20.305)	<ul style="list-style-type: none"> • Proposed development is consistent with the goals and objectives of the Central Square Action Plan: <ul style="list-style-type: none"> ○ encourage responsible and orderly development; ○ strengthen the retail base to more completely serve the needs of the neighborhoods; ○ preserve the Square’s cultural diversity; ○ create active people oriented spaces; ○ improve the physical, and visual environment; ○ provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods. • Building and site designs are consistent with “Urban Design Plan for Central Square” as outlined in the “Central Square Action Plan” and the “Central Square Development Guidelines” (see summary on following pages). • Building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity. • No National Register or contributing building is demolished or so altered as to terminate or preclude its designation (either now or within the past 5 years).
Central Square Overlay District: Building height up to 80 feet and combined residential and non-residential FAR up to 4.00 (Sections 20.304.2 & 20.304.3)	<p><i>Central Square Overlay District findings set forth above</i></p>
Central Square Overlay District: Exemption of rooftop spaces from calculation of Gross Floor Area (GFA) in Central Square Overlay District (Section 20.304.3.6)	<p>The rooftop spaces are located and designed to minimize impacts on neighboring uses, including but not limited to light trespass, noise or other nuisance, and may place further requirements or conditions on the design or operational aspects of rooftop space, including but not limited to hours of operation, range of activities permitted, signage and lighting fixtures, visual screening devices, sound mitigation, and other measures to ensure ongoing compliance with the findings.</p>
Central Square Overlay District: Reduction of parking and loading requirement (Sections 20.304.6 & 6.35.1)	<ul style="list-style-type: none"> • Total development authorized on the site is reduced to 90% of the maximum permitted on the lot or a cash contribution is made to the Central Square Improvement Fund in an amount equal to fifty (50) percent of the cost of construction of the parking spaces not provided.

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
	<ul style="list-style-type: none"> • Subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures. • Exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood. • <i>Other Central Square Overlay District findings set forth above</i>
Central Square Overlay District: Special Permit for Formula Business (Sections 20.304.5.4)	<ul style="list-style-type: none"> • The design reflects, amplifies and strengthens the established historical character of existing buildings and storefronts in Central Square. • The particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular. • Standard elements of the enterprise defining it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other locations of the Formula Business.
Central Square Overlay District: Bank frontage occupying more than 25 feet of building frontage facing Massachusetts Avenue or more than 30% of a lot's aggregate building frontage (Section 20.304.5.3.b)	<i>Central Square Overlay District findings set forth above</i>
Special Permit for exemption of basement area in the calculation of Gross Floor Area (GFA)	The uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.
General Special Permit Criteria (Section 10.43)	Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43.

19.30 Citywide Urban Design Objectives [SUMMARIZED]

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist)
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards)
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities

Central Square Action Plan and Development Guidelines, 1987 – Summary of Relevant Design Principles and Guidelines

<p><u>Land Use</u></p> <ul style="list-style-type: none">▪ Encourage strong retail frontage for Massachusetts Ave. and Main Street.▪ Create a focal point or "anchor" at Lafayette Square that will strengthen pedestrian and retail activity.
<p><u>Building height</u></p> <ul style="list-style-type: none">▪ Height of buildings should be consistent within the overall context of surrounding properties.▪ Whenever possible, the greatest height and bulk of the building should be placed on Massachusetts Avenue with a diminution in height and bulk as the project approaches the lower residential uses in abutting areas.▪ Height and bulk should also be arranged to protect sight lines of significant historic structures.▪ In street wall situations, it is desirable to relate architectural elements of new construction to the significant architectural elements including cornice heights on adjacent buildings.
<p><u>Building scale</u></p> <ul style="list-style-type: none">▪ The heavy pedestrian activity in the Square must be recognized in renovations and new construction projects.▪ Treatment of the ground floor plane should relate to the human dimension and be rich in detail to enhance the pedestrian experience.
<p><u>Building massing</u></p> <ul style="list-style-type: none">▪ Continuation of a strong, unbroken linear retail frontage on Massachusetts Ave. and Main Street is critical to preserving the strength and historic character of the commercial district.▪ Adjacent structures should build to a common party wall; alleyways between buildings are not encouraged.
<p><u>Streetwalls and Setbacks</u></p> <ul style="list-style-type: none">▪ Building walls along Massachusetts Ave. and Main Street should be maintained at the property line with alcoves minimized so as not to create unsupervised areas, which encourage loitering.▪ Setbacks along narrow side streets are encouraged to provide non-continuous building surfaces to avoid the creation of "canyons" and expanded sidewalk widths; a minimum of eight feet is desirable to allow the planting of street trees.
<p><u>Stores and Storefronts</u></p> <ul style="list-style-type: none">▪ Storefronts should be oriented to the pedestrian and provide visual interest both day and night along Massachusetts Avenue and Main Street.▪ Pedestrians should be encouraged to window shop by the provision of varied and interesting display areas.

- Every effort should be made to facilitate access into the store and to create an individual building or store identity.

The following elements are encouraged:

- large window areas for display or for looking into a store with lighting to facilitate night viewing awnings and/or canopies
- signage which is attractively integrated into the window area, awnings, canopies and architecture of the building
- street grade entrances which continue a strong linear edge along Massachusetts Avenue and Main Street
- window boxes
- restoration of details in historically contributing or significant buildings
- retail businesses should provide rest room facilities for customers
- small projecting signs which are compatible with the architecture of the building

The following elements are discouraged:

- small window areas that do not promote or encourage viewing into the store
- overpowering signage
- alcoves or recesses in the building wall that encourage loitering
- loading docks along Massachusetts Avenue and Main Street
- parking entrances and exits along Massachusetts Avenue and Main Street
- below or above grade store entrances
- non-retail uses on Massachusetts Avenue

Exterior Treatments

Renovations

- Contributing and historically significant buildings should be renovated whenever possible.
- Materials should be consistent with the materials used when the structure was originally built.
- Original details should be preserved and restored whenever possible.

New Construction

- Pedestrian level treatments must be rich in detail and help to reinforce human scale through the use of architectural elements such as trim, sills, lintels, awnings and canopies.
- The use of durable materials, granite or limestone will help to add interest and variation to facades.
- Windows should be large and illuminated from within to create interesting display or viewing areas for retail space.
- New construction should be compatible and sensitive to adjacent historic structures with respect to scale and massing.
- Building materials to be compatible with the historic character of Central Square.
- Use of stucco, or stucco style panels and concrete blocks are discouraged.

- As a general rule, new buildings should be faced with wood or masonry with "punched operable windows to complement the older structures in the Square.
- Brick should be a full size brick with a color which is compatible to adjacent structures.
- The building walls above the ground floor should be articulated with bays, setbacks, cutouts, flower boxes, balconies, etc. to eliminate boxy type structures.
- Care should be taken to ensure that automobile headlights and street light glare are shielded from residential windows.
- Signs should be designed to fit on the building and be integrated with windows and awnings and not overlap or cover building details. Signage should be legible, unobtrusive and not overpowering.
- Use of color should be appropriate to the historic character of the Square, such as subtle highlighting of details on awnings, and trim, etc. Overpowering, gaudy, or trendy colors are discouraged.
- All mechanical penthouses and other projections should be integrated into the building form.

Streets, Sidewalks and Open Space

- Continue MBTA and Central Square Enhancement improvements. Suggested improvements include:
 - Fill in private vaults within sidewalk areas
 - Street trees, bicycle racks
 - Trash containers, Kiosks
 - Washington Post lights or other fixture as approved by the City along Massachusetts Ave.
- Create pedestrian links between neighborhoods and Massachusetts Avenue wherever possible;
- Strengthen the tie between Lafayette Square and the "Heart" of Central Square;
- Widen sidewalk areas on side streets to a minimum of eight feet connecting Bishop Allen Drive and Green Street to Massachusetts Avenue and improve the condition of existing sidewalks.
- Upgrade lighting along Bishop Allen Drive, Green Street and the streets connecting them to Massachusetts Ave.
- The appearance of secondary public ways such as Green street, Bishop Allen Drive, Temple street, Norfolk Street, etc. should be improved by repairing sidewalks, signage, lighting and where possible provide new trees.

Parking and Service Areas

- Service areas are to be located to allow vehicles access onto the site and off of the public ways and away from residential windows.
- Commercial tenants should take advantage of the area's good access to public transportation facilities and therefore reduce the need for on-site parking facilities.
- Entrances to both parking and service areas must be constructed to minimize disruption to adjacent uses. Entries should be kept away from street intersections as much as possible.

Special Permit for Increase in Building Height & FAR and Exemption of Rooftop Spaces in the Calculation of Gross Floor Area in Central Square Overlay District

20.304.6 Waiver of Parking and Loading Requirements. Uses in the Central Square Overlay District which meet the following requirements shall be exempted from the parking and loading requirements as specified

20.304.2 Building Height Limitations. The maximum height of buildings in the Central Square Overlay District shall be governed by the requirements of this Section 20.304.2; however, at locations where the base zoning district establishes a more restrictive height limitation, the more restrictive shall apply.

1. *As of Right Height Limitations.* The maximum height of any building shall be fifty-five (55) feet except as further limited below:
 - (a) Where the lot abuts Bishop Allen Drive or Prospect Street between Bishop Allen Drive and Harvard Street, any portion of the building above forty-five (45) feet shall be set back behind a forty-five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above the front lot lines on Bishop Allen Drive and/or Prospect Street and rising over one or more lots at a forty-five degree (45°) angle.
 - (b) Where the Residence C-2A district serves as the base district, the maximum height shall be forty-five feet. No additional height shall be permitted in this district notwithstanding any provision in Paragraph 2 below.
2. *Special Permit for Additional Height.* Additional height may be permitted as follows:
 - (a) The maximum allowable height in the Central Square Overlay District may be increased up to eighty (80) feet upon issuance of a Special Permit by the Planning Board provided that those portions in excess of sixty (60) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning sixty (60) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.
 - (b) Where the lot abuts Bishop Allen Drive, or Prospect Street where the lot lies in a Business A District, and where the lot lies within a Business A District, any portion of the building above forty-five (45) feet shall be set back behind a forty- five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above (1) the front lot lines on Bishop Allen Drive and/or Prospect Street and (2) any residential zoning district line abutting the Business A District, and rising over one or more lots at a forty-five degree (45°) angle.
3. The bulk control plane restrictions of Paragraphs 1 and 2 above may be waived by the Planning Board upon issuance of a Special Permit.

20.304.3 Floor Area Ratio Limitation. The maximum Floor Area Ratio (FAR) limitations established in the applicable base zoning district shall continue to apply to any lot in the Central Square Overlay District unless specifically modified by the following provisions:

1. *As Of Right Limitation.*

The maximum as of right FAR shall be 3.0 in the Office 3 base zoning district for Residential Uses, Section 4.31 a-h, and 2.0 for all other uses; 4.0 for all Residential uses in the Business B base zoning district; and 2.0 in the Residence C-3 and Residence C-2A base zoning districts.

2. *Special Permit for additional FAR.*

The maximum FAR on any lot in a Residence C-3 or Residence C-2A district may be increased to 3.0 and 2.5 respectively upon issuance of a special permit from the Planning Board.

3. *Special Permit for Additional FAR for Affordable Housing.*

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204 except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 20.304.3c

1. *Additional FAR for Residential Uses*

Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Business B (BB) portion of the Central Square Overlay District to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12, provided that the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district and that the proposed FAR of all non-residential uses on the lot shall not exceed the proposed FAR of all residential uses on the lot.

2. *FAR exemption for Residential Balconies*

In the Business B district only, notwithstanding any other provision of this Zoning Ordinance, the Gross Floor Area of balconies, porches, stoops, or mezzanines on any floor of a structure that are accessory to residential uses and not exceeding six (6) feet in depth measured back from the adjacent wall plane of a building shall be exempted from the calculation of Gross Floor Area permitted on the applicable lot. Also, terraces that are created by stepping back the upper floors of a building, provided that they are open to the sky and a minimum of eight (8) feet in depth measured from the façade of the story beneath, shall be exempted from the calculation of Gross Floor Area permitted on the lot.

3. *FAR Exemption for Rooftop Spaces*

In the Business B district only, notwithstanding any other provisions of this Zoning Ordinance, the Gross Floor Area of open-air spaces on the roofs of buildings, such as roof gardens, terraces, walk ways, including open or enclosed egresses, covered staircases, mechanical head-houses, or observation spaces shall be exempted from Gross Floor Area and FAR limitations upon the granting of a special permit by the Planning Board. In granting any special permit, the Planning Board must be able to find that the proposed rooftop spaces have been located and designed to minimize impacts on neighboring uses, including but not limited to light trespass, noise or other nuisance, and may place further requirements or conditions on the design or operational aspects of spaces exempted pursuant to this Paragraph, including but not limited to hours of operation, range of activities permitted, signage and lighting fixtures, visual screening devices, sound mitigation, and other measures to ensure ongoing compliance with the Board's findings.

4. *FAR Exemption for Ground Floor Retail*

In the Business B district only, retail spaces of 1,500 square feet or less shall be excluded from the calculation of floor area ratio.

20.305 *Standards for Issuance of Special Permits.* In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the goals and objectives of the Central Square Action Plan:
 - encourage responsible and orderly development;
 - strengthen the retail base to more completely serve the needs of the neighborhoods;
 - preserve the Square's cultural diversity;
 - create active people oriented spaces;
 - improve the physical, and visual environment;
 - provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods
2. The building and site designs are consistent with "Urban Design Plan for Central Square" as outlined in the "Central Square Action Plan" and the "Central Square Development Guidelines";
3. The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity;
4. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
5. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

Special Permit for Waiver of Parking & Loading Requirements in Central Square Overlay District

20.304.6 Parking and Loading Requirements. The provisions set forth in Article 6.000 shall apply except as modified by the provisions set below.

1. Maximum Parking. Where any of the following listed uses are established in the Central Square Overlay District as of August 1, 2016, the accessory off-street parking for such uses shall be limited by the maximum rates set forth below. For uses not listed below, any maximum rate set forth in Article 6.000 shall apply. Exceeding the maximum allowed parking shall require a waiver of maximum parking under the general provisions of Article 6.000.
 - (a) Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3): 0.75 space per dwelling unit
 - (b) Hotel or Motel Uses (6.36.1 i-2 or i-3): 0.25 space per sleeping room
 - (c) Office Uses (6.36.4), excluding Technical Office (f): 0.90 space per 1,000 square feet
 - (d) Technical Office Uses (6.36.4 f): 0.80 space per 1,000 square feet
 - (e) Retail and Consumer Service Establishments (6.36.5): 0.50 space per 1,000 square feet
2. Minimum Parking and Loading. The minimum parking and loading requirements as specified in Section 6.36 Schedule of Parking and Loading Requirements shall apply except as set forth below:
 - (a) For Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3), the minimum required parking ratio shall be 0.50 space per dwelling unit.
 - (b) Where the minimum number of parking spaces derived from the requirements of Article 6.000 is greater than the maximum number of parking spaces derived from Paragraph 1 above, the minimum required number of parking spaces shall be reduced to the greatest number that conforms to the maximum requirements derived from Paragraph 1 above.
3. Waiver of Parking and Loading Requirements. Uses in the Central Square Overlay District which meet the following requirements shall be exempt from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements and the minimum requirements set forth in Paragraph 2 above.
 - (a) The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or
 - (b) The use is contained in a new structure or new addition to a structure identified in (1.) above, after the issuance of a special permit by the Planning Board provided:
 - (i) The total development authorized on the site is reduced to ninety (90) percent of the maximum permitted on the lot; or a cash contribution is made to the Central Square Improvement Fund to be established by the City of Cambridge in an amount

equal to fifty (50) percent of the cost of construction of the parking spaces not provided, said contribution to be used by the City of Cambridge for one or more of the following improvements in the Central Square Overlay District:

- (1) Provision of public parking, preferably for short term users;
- (2) Programming, events, and infrastructure that contribute to the Cultural District established in Central Square;
- (3) Improvements to public parks, or restoration of historic structures, monuments and other features owned by the City of Cambridge or other public agency or a nonprofit organization;
- (4) Improvements to public pedestrian and bicycle facilities such as sidewalks, crosswalks, dedicated cycling paths and bicycle parking.

The Central Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions. The funds shall not be used for ordinary maintenance activities normally undertaken by the City of Cambridge. The value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge.

- (ii) The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met).
- (iii) The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in Central Square Development Guidelines.
- (iv) No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- (v) No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

6.35.1 Reduction of Required Parking. Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of

affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.
- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.
- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

Special Permit for Formula Business in Central Square Overlay District

20.304.5 *Use Limitations and Restrictions.* In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Central Square Overlay District:

4. *Formula Business District.* A Formula Business as defined in this Ordinance may be established in the Central Square Overlay District only after the issuance of a special permit from the Planning Board. In reviewing an application the Planning Board shall take the following into consideration:
 - a. The extent to which the design of the proposal reflects, amplifies, and strengthens the established historical character of existing buildings and store fronts in Central Square.
 - b. The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.
 - c. The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other locations of the Formula Business.

Special Permit to Waive Restricted Use of Bank Frontage in Central Square Overlay District

20.304.5 *Use Limitations and Restrictions.* In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Central Square Overlay District:

3. *Restricted Uses.*

- b. Unless specifically waived upon the granting of a special permit by the Planning Board, no individual bank or financial institution (Section 4.34e) shall occupy more than twenty-five (25) feet of building frontage facing Massachusetts Avenue or Main Street, and no more than thirty percent (30%) of a lot's aggregate building frontage facing one or more public streets may be occupied by such uses.

20.305 *Standards for Issuance of Special Permits.* In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the goals and objectives of the Central Square Action Plan:
 - encourage responsible and orderly development;
 - strengthen the retail base to more completely serve the needs of the neighborhoods;
 - preserve the Square's cultural diversity;
 - create active people oriented spaces;
 - improve the physical, and visual environment;
 - provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods
2. The building and site designs are consistent with "Urban Design Plan for Central Square" as outlined in the "Central Square Action Plan" and the "Central Square Development Guidelines";
3. The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity;
4. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
5. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application

Special Permit for Exemption of Basement Area in the Calculation of Gross Floor Area

2.000 *DEFINITIONS:*

Floor Area Gross

Gross Floor Area shall not include:

- (15) Any basement or cellar living space in any single-family or two-family home.
- (16) Any basement or cellar living space in any other type of structure with the issuance of a special permit. In granting such a special permit, the permit granting authority may approved the exemption of any portion of Gross Floor Area (GFA) located in a basement or cellar from the calculation of GFA, provided the permit granting authority finds that the uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.

General Criteria for Issuance of a Special Permit

- 10.43** *Criteria.* Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:
- (a) It appears that requirements of this Ordinance cannot or will not be met, or
 - (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
 - (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
 - (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or
 - (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and
 - (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.